REMARKS

The non-final Office Action of January 27, 2009 has been reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

Statement of Common Ownership

As noted previously, the present application and Heie (U.S. Patent No. 6,473,621, "Heie") were, at the time the invention was made, both owned by, or subject to an obligation of assignment to Nokia Corporation or wholly owned subsidiary thereof.

Claim Rejections

Claims 1, 4-14 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over King *et al.* (U.S. Patent No. 5,953,541, "King") in view of Walker (U.S. Patent No. 6,528,741 B2, "Walker"), Tsuji *et al.* (U.S. Patent No. 5,581,599, "Tsuji") and Guo (U.S. Patent Pub. No. 2002/0135499, "Guo"). Applicant respectfully traverses.

Claims 1, 5, 7 and 14 relate to, *inter alia*, receiving user input corresponding to scrolling through the plurality of different characters included in a character group, wherein scrolling is performed in response to user input corresponding to a pressing of another key on the keypad, wherein the another key becomes a dedicated scroll key when in an editor mode. Despite adding Guo in the basis for rejection, the Office Action continues to make the same assertions as in previous rejections. Namely, the Office Action asserts that Walker describes, in the Abstract, col. 1 lines 55-67 and Figure 1, a first key (a multi-way shift key) "used in conjunction with" second keys (a plurality of single-contact keys) to "scroll through characters step by step." Applicant, as noted in previously responses, disagrees. Walker describes that to select amongst the plurality of characters included on a single-contact key, a user must engage a single-contact key "in combination with" the particular switch contact of the multi-way shift key that corresponds to the location of the desired character, and then engage in another such combination to select a different desired character. *See* Walker at col. 2 lines 21-31. Accordingly, "it is the combination of engaged contacts that determines which character is selected," (see Walker at col. 2 lines 43-45) and the selective input of characters for a desired text string occurs as a series of these different combinations in an attempt to improve on

"repeated presses of a key" (see Walker at col. 1, lines 20-25) that may be "slow and prone to error". *See* Walker at col. 1, lines 20-29. Simply put, the above described *selection* of a character in Walker does not describe *scrolling*. Moreover, Applicant notes that the terms "scroll" or "scrolling" are nowhere to be found in Walker. None of the cited secondary references cure these deficiencies of Walker. Significantly, although the Office Action asserts Guo as a new basis for rejection, the Office Action does not assert that Guo teaches or suggests any claimed features. Regardless, Guo does not teach or suggest a dedicated scrolling key that is configured to scroll through a plurality of characters when in an editor mode. Accordingly, claims 1, 5, 7 and 14 are thus allowable for at least these reasons.

Additionally, the Office Action concedes that the combination of Walker and King fails to clearly state that the dedicated key is a scrolling key, but that Tsuji discloses this feature at col. 10 lines 33-45. However, the Office has now repeatedly ignored the deficiencies of Tsuji that render the combination of references insufficient to teach or suggest each and every feature of claims 1, 5, 7 and 14. Notably, Tsuji lacks a teaching or suggestion of a key *becoming* a dedicated scroll key *when in an editor mode*. As mentioned in Applicant's Response dated July 16, 2008 and Pre-Appeal Brief Request for Review dated September 18, 2008, the dedicated scroll keys described in Tsuji are permanent scroll keys; that is, the scroll keys perform the function of scrolling regardless of when and why they are being used. In contrast, claim 1 recites the another key becoming a dedicated scroll key when in an editor mode. Walker and King are similarly deficient in that there is no teaching or suggestion of a key *becoming* a dedicated scroll key in an editor mode. Accordingly, claims 1, 5, 7 and 14 are allowable for this additional reason.

Further, assuming, without conceding, that Tsuji does describe a key that becomes dedicated for scrolling, Applicant respectfully submits that the Office has not provided any rationale for combining Tsuji with King and Walker to include such a feature *when in an editor mode*. At best, King describes an "editing mode" (see King at col. 24 lines 15-18) whereby entering such mode, via a special "Edit" key (58), changes the functionality of each of the nine data keys (56) to a particular edit command. However, none such edit command is dedicated for scrolling. See King at col. 24 lines 15-27 and Figure 4A. Instead, the data keys (56) become dedicated for cursor movement through the text displayed in the text region while the remaining keys (system keys (58), "Select" key (60), "Backsp" key (64), and "Shift" key (62)) contained on

the keyboard (54) maintain their respective functions as before the editing mode was entered. See King at col. 28-54 and Figure 4A. Cursor movement is merely directional movement along and across lines of displayed text to reach a particular destination where editing is desired, and thus is not scrolling through a plurality of different characters, as recited in claims 1, 5, 7 and 14. Such is the case in King whether the editing mode is entered when the system is embodied in a touchscreen implementation or utilizes a mechanical keypad. *See* King at col. 24 lines 15-27 and Figures 4A and 4B. Conversely, claims 1, 5, 7 and 14 recite a key that changes in functionality to become a dedicated scroll key when in an editor mode. As a result, claims 1, 5, 7 and 14 are allowable.

Claims 4, 6, 8-13 and 16 depend from claims 1, 5, 7, and 14, respectively, and are thus allowable for at least the same reasons as their base independent claim and in further view of the features recited therein.

Moreover, the Office Action again does not reject claim 17 (added in Applicant's amendment dated January 7, 2008), which recites, *inter alia*, "wherein the another key corresponds to a non-scrolling function when not in the editor mode." Accordingly, Applicant respectfully submits that claim 17 is allowable and request notification of the same.

Claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over King *et al.* (U.S. Patent No. 5,953,541, "King") in view of Walker (U.S. Patent No. 6,528,741 B2, "Walker"), Tsuji *et al.* (U.S. Patent No. 5,581,599, "Tsuji") Guo and Heie. Applicant respectfully traverses. Applicant again notes that, based on the above Statement of Common Ownership, Heie is not applicable prior art for a rejection under 35 U.S.C. §103(a). Accordingly, claim 15 is allowable for at least this reason.

CONCLUSION

Based on the foregoing, Applicant respectfully submits that the application is in condition for allowance and a Notice to that effect is earnestly solicited. Should the Examiner believe that anything further is desirable in order to place the application in even better form for allowance, the Examiner is respectfully urged to contact Applicant's undersigned representative at the below-listed number.

Respectfully submitted,

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